

# Notice of Allowability

Application No.

09/763,029

Examiner

Arezoo Sherkat

Applicant(s)

SCHAEFER, MANFRED

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/24/2006.
2. ☒ The allowed claim(s) is/are 5, 8-15, 18 and 22-27.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 6/11/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 4/25/2006
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

CHRISTOPHER REVAH  
PRIMARY EXAMINER

*Cel 4/24/06*

**Continued Examination Under 37 CFR 1.114**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/24/2006 has been entered.

***EXAMINER'S AMENDMENT***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Richard A. Golhofer on 4/25/2006.

The application has been amended as follows:

Claims 6 and 19 are cancelled.

***Allowable Subject Matter***

3. Claims 5, 8-15, 18, and 22-27 are allowed.
4. The following is an examiner's statement of reasons for allowance:

Tsuda discloses, "... the access control information check unit 208 compares the access control information (ACL) contained in the process management data 207 with the access control information (aclb) corresponding to the transfer data, and judges whether the data transfer is permitted or not" (col. 17, lines 38-67 and col. 18, lines 1-4).

Baum discloses an access-list entry (ALE) to determine if a program is authorized to use the ALE. The ALE includes an access-list entry sequence number (ALESN) value in bits 8-15, which is compared to the ALESN value of the designating access-list entry token (ALET) to make a validity check. ... a valid ALE specifies an address space that can be used by a suitably authorized program to access that address space (col 13, lines 19-50).

The closest prior arts of record, namely Tsuda and Baum, fail to fairly disclose "forwarding, a call of the accessing process to a checking function integrated into at least one of the address space of the program file and the process file to be protected a dynamically integrated file, and determining, during execution of each program in each program file to be protected, for each accessing process that attempts to access the address space of the program file, whether the accessing process is listed in the process file assigned to the program file" and "determining, during execution of each program in each program file to be protected, for each accessing process that attempts to access the address space of the program file, whether the accessing process is listed in the process file assigned to the program file, and checking, at a predetermined interval of time for each active process that runs along with a program and/or a file to be

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protected, to confirm whether the active process is contained in the process file that is assigned to the program and/or the file to be protected, and the process is ended if that is not the case” .

The above-mentioned features in combination with other limitations of the corresponding claims disclose the novelty of the instant application over prior arts.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A.S.

*A. Sherlet*

Patent Examiner

Group 2131

April 20, 2006

CHRISTOPHER REVAH  
PRIMARY EXAMINER

*CR 4/26/06*